

Notice of Allowability

Application No.

10/705,417

Applicant(s)

WILLIAMS, FRED E.

Examiner

Nicholas Ponomarenko

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/10/2003.
2. ☒ The allowed claim(s) is/are 1 and 8-10.
3. ☒ The drawings filed on 10 November 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 1 page
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Examiner's Amendment

1. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. §1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

2. Authorization for this Examiner's Amendment was given in a telephone interview with Mr. R. William Graham (Reg.No. 33,891) on May 25, 2005.

3. The application has been amended as follows:

Cancel claims 2-7.

In claim 8, line 1, replace --7-- with "1".

Amend claim 1 as follows:

1. (Amended) A hydroelectric system for disposal in a continuous flowing water vein, comprising:

at least one generator [; and] ,

a housing configured to include a venturi flow restriction for accelerating flow to said at least one generator [.] ,

a float connected to said housing, wherein

said housing includes an inlet and an outlet having said venture flow restriction therebetween and which includes a screen operably disposed adjacent said inlet to prevent debris from entering said housing without substantially affecting water flow therethrough, wherein

said screen is connected to said housing,

a base for placement on a floor of the water vein and which is configured to remain stationary on the floor,

a vertical bar extending upward from said base, wherein

said housing is movably connected to said bar such that said housing is limited to travel between a stop on said bar and said base.

Reasons for Allowance

4. Claims 1 and 8-10 are allowed.

5. Examiner's Statement of Reasons for Allowance:

Applicant's invention relates to a hydroelectric system, and more specifically, to a structure of a hydroelectric system.

The system has a housing with a float to be positioned in the flowing water. The housing can move vertically along a bar attached to a base, which in turn is attached to a floor of the water vein. The housing has a venture inlet and outlet and a turbogenerator driven by the flowing water. In front of the inlet is positioned a screen to filter water's debris from entering the housing.

There are inventions in the field that provide similar functionality and/or have similar features, as prior art of record shows. Applicant's invention differs from the prior art of record by the combination and compact configuration of the functional elements, as they are disclosed and claimed, and which examiner's search failed to find.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant(s) disclosure.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Ponomarenko whose telephone number is (571) 272- 2033, Fax: (571) 273-2033, or to his SPE Darren Schuberg – (571) 272-2044.

9. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center 2800 Customer Service
Phone: (571) 272-2815

np
May 25, 2005



**Nicholas Ponomarenko
Primary Examiner
Technology Center 2800**